



## DIVISION OF PLANNING AND PERMITTING FREDERICK COUNTY, MARYLAND

Office of the Zoning Administrator • 30 North Market Street • Frederick, Maryland 21701 • (301) 600-1143

### **HOME OCCUPATION INFORMATION SHEET – SAVE THIS FOR YOUR RECORDS**

**Section 1-19-11.100 HOME OCCUPATION:** Any occupation or business use conducted entirely within a dwelling or an accessory structure, or both, by a resident of the property, and which is clearly an incidental residential use of the building, excluding antique shops in the VC, HS, and GC; bed and breakfast; commercial repair or storage of automobiles, watercraft, or other motor vehicles; commercial stables, kennels, and nurseries; mortuary establishments; professional offices; restaurants or tea rooms.

**Section 1-19-8.240(A)(5)(a):** *General home occupation standards.* All Home Occupations shall comply with the following conditions:

- (1) There will be no exterior evidence, other than a permitted sign, to indicate that the building is being used for any purpose other than that of a dwelling or an accessory structure.
- (2) No retail sales or services, other than goods grown, produced or assembled on the premises, shall be conducted on the premises; however, retail sales of products not produced on the premises are permitted when these sales are only incidental to and part of the primary function of the business. As a home occupation, antique shops in the A and RC Zoning Districts shall be permitted to conduct retail sales in accordance with the remaining requirements set forth in this chapter.
- (3) Additional off-street parking will be provided in accordance with the requirements set forth by use in Section 1-19-6.220 of the Ordinance. If there is a question as to the use and corresponding parking, the Zoning Administrator shall make the determination.
- (4) The home occupation shall not cause any odor, dust, smoke, vibration, noise, or electromagnetic interference which can be detected at or beyond the property line.
- (5) There will no outdoor storage of equipment, material or stock.
- (6) There will be no storage on the premises of explosives or highly flammable or extremely hazardous materials as defined by the U.S. Environmental Protection Agency.
- (7) The business must be conducted by a full-time resident of the property.
- (8) Home occupations located on properties utilizing a common drive shall be required to give notice of home occupation use to adjoining property owners by registered or certified mail. Proof of notification is required.
- (9) Any interior structural alterations to accommodate the home occupation will require the issuance of a building permit.

**Section 1-19-6.320(5) – HOME OCCUPATION SIGNS:**

- If a Residential Zone, one sign, two square feet maximum, attached to the principle or accessory structure.
- If an Agricultural or Resource Conservation Zone, one sign, two square feet maximum, six foot maximum height – Setbacks as follows: Front Yard – 30 feet, Side – 10 feet, Rear – 10 feet

### **HOME OCCUPATION WITH NO IMPACT**

**Section 1-19-8.240(A)(5)(b):** Home Occupations with No Impact are a permitted accessory use upon completion of the Home Occupation Application form available in the Planning and Zoning Office located at 30 North Market Street. Home occupation owners must comply with the general home occupation standards and the following conditions:

- (1) No more than five business-related vehicle visits per week at the premises, excluding delivery vehicles, are permitted when the business is located on a local roadway as specified in the Comprehensive Plan. When located on a collector roadway, no more than five business-related vehicle visits per day at the premises, or no more than 20 per week, whichever is greater, excluding delivery vehicles, are permitted. There will be no limit on the number of business-related vehicle visits to a residence when located on an arterial roadway. Deliveries are only permitted by public or private delivery services that customarily make residential deliveries.**
- (2) No non-resident employees (full-time or part-time) are permitted to work on the premises.**
- (3) No more than 600 square feet of an accessory structure may be used for business purposes. There is no limit to the amount of square footage which can be utilized within the principal structure, provided the home occupation remains incidental to the residential use. For parcels of 10 acres or greater in size, the size of accessory structures to be used may be enlarged by special exception after giving due consideration to setbacks, size and location of structure and its impact on the adjoining properties.**
- (4) More than one home occupation with No Impact may be conducted on the premises; however, the combined business-related impact of the home occupations shall not exceed the limits established in (b) 1-3 above.**
- (5) No Impact home occupations may be permitted in all types of residential structures.**

### **HOME OCCUPATION WITH MINOR IMPACT**

**Section 1-19-8.240(A)(5)(c):** Home Occupations with Minor Impact must obtain a Zoning Certificate through the Department of Permitting and Development Review. Home occupation owners must comply with the general home occupation standards in Subsection 1-19-8.240(5)(a) and the following conditions:

- (1) No more than two business-related vehicle visits per day nor more than ten visits per week at the premises, excluding delivery vehicles, are permitted when the business is located on a local roadway as specified on the Comprehensive Plan. When located on a collector roadway, no more than five business-related vehicle visits per day at the premises, or no more than 20 per week, whichever is greater, excluding delivery vehicles, are permitted. There will be no limit on the number of business-related vehicle visits to a residence when located on an arterial roadway. Deliveries are only permitted by public or private delivery services that customarily make residential deliveries.**
- (2) No more than one non-resident employee (full-time or part-time) is permitted to work on the premises.**

- (3) In Residential and Resource Conservation zoned parcels, no more than 600 square feet of an accessory structure may be used for home occupation purposes. This square footage may increase to 1,200 square feet in the Agricultural zone and on lots over 5 acres in the Resource Conservation (RC) Zone. There is no limit to the amount of square footage which can be utilized within the principal structure, provided the home occupation remains incidental to the residential use. For parcels of 10 acres or greater in size, the size of accessory structures to be used may be enlarged by special exception after giving due consideration to setbacks, size and location of structure and impact on the adjoining properties.**
- (4) More than one home occupation with Minor Impact may be carried out on the premises; however, the combined business-related impact of the home occupations shall not exceed the limits established in (c) 1-3 above.**
- (5) Home occupations with Minor Impact shall be permitted within townhouse, condominium, multiplex or apartment dwellings except that vehicle visits shall be limited to the hours between 7:00 a.m. and 6:00 p.m.**